

Issued: May 8, 2019

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, MAY 6, 2019
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Chair: Kevin Ahern, Vice Chair: Kevin Prestage, Commissioners: Liz Gillette, Michele Maresca (Arrived @ 7:10 and departed @ 8:42), Alternates: Gordon Binkhorst, Andrea Gomes. Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

ABSENT: Commissioner: John O'Donnell

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Special CIP Meeting, Monday, April 1, 2019
Motion/Prestage; Second/Gomes; Vote 4-0 (Ahern, Prestage, Gillette, Gomes; Abstained: Binkhorst)
 - b. Minutes of the Regular Meeting, Monday, April 1, 2019
Motion/Binkhorst; Second/Gomes; Vote 5-0 (Ahern, Prestage, Gillette, Binkhorst, Gomes)

COMMUNICATIONS:

2. **380 Tunxis Road (a.k.a. Middle Road, Farmington)** – Applications (IWW#1097 & SUB #298), request by Jeffery Webster, on behalf of Orchard Heights Developers, LLC, to keep open and immediately continue the public hearing without testimony to the June 3, 2019 meeting. The Applicant has consented to an extension of time pursuant to Conn. Gen. Stat. § 8-7d to keep the hearings open.
Received.



TOWN OF WEST HARTFORD

TOWN OF WEST HARTFORD
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NEW BUSINESS:

3. **106 South Street** – Application (SUP# 1301-LB-19) of Tri-Town Professional Office Building, LLC., R.O., (Bruce A. Fletcher, ACTS Ministries International, Inc., Applicant) requesting TPZ review of compliance with the conditions of SUP #1301 approved May 1, 2017. Original approval is for a place of worship and training for a maximum of 96 seats. (Submitted for TPZ receipt on May 6, 2019. Suggest required public hearing be scheduled for June 3, 2019.)

The TPZ acted by **unanimous vote (5 - 0)** (*Motion/Prestage; Second/ Gillette*) (*Binkhorst seated for Maresca, Gomes seated for O'Donnell*) to schedule this matter for public hearing on **Monday, June 3, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

4. **42 South Main Street - Cinopolis** – Application (SUP# 1338) of Michael Pease, on behalf of Connecticut Cinema Investments LLC, requesting approval of a Special Use Permit to add the service of alcoholic beverages as an adjunct to the primary function of viewing motion pictures or performing art. (Submitted for TPZ receipt on May 6, 2019. Suggest required public hearing be scheduled for June 3, 2019.)

The TPZ acted by **unanimous vote (5 - 0)** (*Motion/Prestage; Second/Binkhorst*) (*Binkhorst seated for Maresca, Gomes seated for O'Donnell*) to schedule this matter for public hearing on **Monday, June 3, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

5. **75 Davenport Road** – Application (IWW#1106), of Edward Marchion, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes the installation of a 22' x 36' in-ground swimming pool and surrounding concrete patio in a developed upland review regulated area. (Submitted for IWWA receipt on May 6, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, in accordance with the Town of West Hartford Inland Wetlands and Watercourse Regulations, the IWWA acted by **unanimous vote (5-0)** (*Motion/ Gillette, Second/ Binkhorst*) (*Binkhorst seated for Maresca, Gomes seated for O'Donnell*) and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved the application based on the following findings:

75 DAVENPORT ROAD
INLAND WETLAND APPLICATION IWW #1106

COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **75 Davenport Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1106** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **75 Davenport Road**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

- 6. **983 New Britain Avenue** – Application (IWW #1104), of Andrew E. Kearns (Attorney) on behalf of West Hartford No. 1, LLC, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a watercourse, the Piper Brook. The applicant proposes site regrading and soil excavation in a parking lot area within the 150 ft. upland review area. The work seeks to increase the flood storage capacity of the area, a requirement triggered by an off-site development proposal. (Submitted for IWWA receipt on May 6, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Gillette, Second/Gomes) (Gomes seated for O'Donnell) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **June 3, 2019 at**

7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

7. **1 Charter Oak Boulevard** – Application (IWW#1105), of J. Michael Callahan on behalf of Triumph Engine Control Systems, LLC, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetlands area. The applicant is proposing the removal of two buildings and associated aboveground utilities (slab foundations to remain) within the 150 ft. upland review area. (Submitted for IWWA receipt on May 6, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, in accordance with the Town of West Hartford Inland Wetlands and Watercourse Regulations, the IWWA acted by a **vote of (4-1)** (Motion/ Binkhorst, Second/ Prestage) (Gillette opposed; Binkhorst seated for O'Donnell) and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved the application based on the following findings:

1 CHARTER OAK BOULEVARD
INLAND WETLAND APPLICATION IWW #1105
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1 Charter Oak Boulevard** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1105** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1 Charter Oak Boulevard**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

- 8. **Mountain Road – Culvert – Town of West Hartford** – Application (IWW# 1102), of the Engineering Division of the Town of West Hartford, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an

adverse impact on a wetland area. The applicant is purposing to widen Mountain Road North & South of Albany Avenue to provide an additional travel lane and complete streets improvements. This work requires the existing box culvert carrying Mountain Farms Brook under Mountain Road to be extended and additional grading within a 150 ft. upland review area. Submitted for IWWA receipt on April 1, 2019. Presented for determination of significance)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage, Second/Gomes) (Gomes seated for O'Donnell) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **June 3, 2019 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street**

PUBLIC HEARING CALLED AT 7:15 P.M.

9. **227 South Main Street – Noah Webster House** – Application (SUP# 1335) of the Noah Webster House and West Hartford Historical Society requesting approval of a Special Use Permit to build a bluestone patio / terrace and install a new shed on the west side of the property. (Submitted for TPZ receipt on March 4, 2019. Required public hearing scheduled for April 1, 2019. 019. Public hearing opened and continued to May 6, 2019)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 - 0)** (*Motion/Prestage; Second/Gillette*) (*Binkhorst seated for Maresca, Gomes seated for O'Donnell,*) (*Maresca Recused*), to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by June 2021 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

10. **380 Tunxis Road (a.k.a. Middle Road, Farmington)** – Application (IWW#1097) of Orchard Heights Developers, LLC, (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The applicant is proposing a six (6) lot subdivision with associated site improvements, including a proposed public cul-de-sac street, stormwater/drainage and site grading on an approximately 2.6 acre parcel of land. Much of the proposed work is within the 150' upland review areas. (Submitted for IWWA receipt on March 4, 2019. Determined to be potentially significant and scheduled public hearing on April 1, 2019, hearing opened and immediately continued to May 6, 2019.)

The IWWA kept open and immediately continued the matter to **Monday, June 3, 2019** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

11. **380 Tunxis Road (a.k.a. Middle Road, Farmington)** – Application (SUB #298) of Orchard Heights Developers, LLC, (R.O.) requesting approval of a six (6) lot residential subdivision including a proposed public cul-de-sac street and stormwater drainage infrastructure on approximately 2.6 acres of land located in a R-10 single family zone. The applicant is requesting a waiver to the sidewalk requirement as required by Section 184-24 of the West Hartford Subdivision Regulations. (Submitted for TPZ receipt on March 4, 2019. Required public hearing scheduled for April 1, 2019, hearing opened and immediately continued to May 6, 2019.)

The TPZ kept open and immediately continued the matter to **Monday, June 3, 2019** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

12. **1678 Asylum Avenue - University of St. Joseph** – Application (IWW#1099) of Shawn Harrington, on behalf of the University of Saint Joseph, requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an onsite soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on March 4, 2019. Required public hearing scheduled for April 1, 2019.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Binkhorst) (Gomes seated for O'Donnell, Binkhorst seated for Maresca) to **APPROVE** the proposed amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford.

13. **1678 Asylum Avenue - University of St. Joseph** – Application (IWW# 1100) of Shawn Harrington, on behalf of the University of Saint Joseph, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The applicant proposes the replacement of the existing athletic field and track with the installation of a new synthetic turf field with lighting and associated drainage improvements. Portions of the proposed activity are within the 150 ft. upland review area. No direct wetlands impacts are proposed. (Submitted for IWWA receipt on March 4, 2019. Determined to be potentially significant and scheduled public hearing on April 1, 2019.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Prestage) (Gomes seated for O'Donnell, Binkhorst seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

1678 ASYLUM AVENUE
INLAND WETLAND APPLICATION IWW #1100
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1678 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1100** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1678 Asylum Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.

- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

14. **1678 Asylum Avenue - University of St. Joseph** – Application (SUP# 1336) of Shawn Harrington, on behalf of the University of Saint Joseph, requesting approval of a Special Use Permit for the replacement of an existing athletic field with the installation of a new synthetic turf field with lighting and associated drainage improvements. (Submitted for TPZ receipt on March 4, 2019. Required public hearing opened April 1, 2019 and continued to May 6, 2019.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 - 0)** (*Motion/Prestage; Second/Gomes*) (*Binkhorst seated for Maresca, Gomes seated for O'Donnell*.) to **GRANT** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. The stormwater filter vault shall be maintained in accordance with the manufacture's specifications. A cleaning and monitoring report shall be filed with the Town Planner at least once per year.
3. Water quality testing, including for the presence of zinc, for water exiting the stormwater filter vault. Shall be conducted once per year. The test results /report shall be submitted to the Town Planner.

4. The approximately forty (40) evergreen trees, on and around the berm that act as a visual screen, shall be maintained in good health and in the same quantity, type and location as long as the synthetic turf field remains in use.
5. A snow removal and maintenance plan that identifies the type of snow removal equipment to be used and the snow stockpile areas shall be submitted to the Town Planner. Snow shall be stored on the turf field to the greatest extent feasible.
6. Use of any environmentally friendly turf field infill materials is authorized under this permit.
7. Condition 5 of the submitted Operational Plan for Athletic Field and Lights is amended to permit use of the field for an additional five (5) evening events per year so long as those events are for Town use.
8. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by June 2021 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

15. **1678 Asylum Avenue - University of St. Joseph** – Application (IWW# 1103) of Andrew Levesque, on behalf of the University of Saint Joseph, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The proposed dining annex includes a dining tent, kitchen trailer, bathroom trailers, patio area, pedestrian walkways, gravel driveway, and utilities all of which will be utilized during renovations to the McGovern Hall Student Center. All impervious surfaces are temporary and will be returned to grass upon completion of the renovations to McGovern dining hall. Portions of the proposed activity are within the 150 ft. upland review area. (Submitted for IWWA receipt on April 1, 2019. Presented for determination of significance)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/Gomes) (Gomes seated for O'Donnell, Binkhorst seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

1678 ASYLUM AVENUE
INLAND WETLAND APPLICATION IWW #1103
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1678 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1103** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.

- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1678 Asylum Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

16. **1678 Asylum Avenue - University of St. Joseph** – Application (SUP# 1337) of Andrew Levesque, on behalf of the University of Saint Joseph, requesting approval of a Special Use Permit for the construction of a temporary dining annex on the western side of campus adjacent to the residence halls. The proposed dining annex includes a dining tent, kitchen trailer, bathroom trailers, patio area, pedestrian walkways, gravel driveway, and utilities all of which will be utilized during renovations to the McGovern Hall Student Center. (Submitted for TPZ receipt on April 1, 2019. Suggest required public hearing be scheduled for May 6, 2019.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 - 0)** (*Motion/Gillette; Second/Binkhorst*) (*Binkhorst seated for Maresca, Gomes seated for O'Donnell,*) to **GRANT** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the

lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.

c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

2. Use of the temporary dining hall annex shall cease by January 31, 2020 and all disturbed areas on the site shall be fully restored by July 1, 2020.

17. **180 Pond Road – IWW bank stabilization** – Application (IWW# 1059-R1-19) of Penfield Jarvis R.O., Gregory Hunt P.E., requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Woodridge Lake). The applicant is proposing the stabilization and reinforcement of approximately 120 feet of eroded shoreline with approximately 3 cubic yards of 3/4" crushed stone and 6 cubic yards of rip rap. The proposal also includes the resetting and repair of approximately 155 feet of an existing stone wall along the shoreline. Work is proposed during the drawdown period of Woodridge Lake. (Submitted for IWWA receipt on April 1, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/ Gillette) (Gomes seated for O'Donnell, Binkhorst seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

180 WOOD POND ROAD
INLAND WETLAND APPLICATION IWW #1059-R1-19
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **180 Wood Pond Road**, in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1059-R1-19** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **180 Wood Pond Road**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) In order to minimize disturbance to the vegetated wetlands area, a construction route lined with plywood or similar material shall be established from the access point along the shoreline in the area of the cove leading northwestward over the wetlands area.
- 5.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

TOWN COUNCIL REFERRAL:

18. Ordinance Permitting Cottage Food Operations in Residence Districts (This agenda item will be the subject of a Town Council public hearing set for May 14, 2019) ***Recommend to Approve. Motion/Gomes; Second/Prestage; Vote 5-0 (Gomes seated for O'Donnell, Binkhorst seated for Maresca)***

19. **527 Prospect Avenue** –Application filed on behalf of 527 Prospect LLC, owner of 527 Prospect Avenue, to amend existing Special Development District (SDD) #123. The amendment proposes an approximately 984 s.f., two story addition for expanded office space, along with associated landscaping, parking and drainage improvements. (Town Council receipt April 15, 2019. TPZ receipt May 6, 2019. Town Council public hearing scheduled for May 28, 2019.) ***Recommend to Approve. Motion/Binkhorst; Second/Gomes; Vote 5-0 (Gomes seated for O'Donnell, Binkhorst seated for Maresca)***

TOWN PLANNER'S REPORT:

20. **Plan of Conservation and Development Update:** Next TPZ Subcommittee meetings scheduled for May 15th, 22nd, 29th, and June 5th.
Todd Dumais provided an update, no action taken.

MEETING ADJOURNED: 10:25 P.M.

U: shareddocs/TPZ/Minutes/2019/May 6_Final